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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,494	08/17/2001	Trang T. Le	PC31245	5208

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PHARMACIA CORPORATION
GLOBAL PATENT DEPARTMENT
POST OFFICE BOX 1027
ST. LOUIS, MO 63006

EXAMINER	
TRAN, SUSAN T	

ART UNIT	PAPER NUMBER
1618	

MAIL DATE	DELIVERY MODE
03/17/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/932,494	LE ET AL.	
	Examiner	Art Unit	
	S. Tran	1618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 December 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,10-13,18-25,28-41,46-48,50-53,62-83,86-89 and 95-98* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,10-13,18-25,28-41,46-48,50-53,62-83,86-89 and 95-98* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/18/07 has been entered.

Claim Rejections - 35 USC § 103

Claims 1-3, 10-13, 18-25, 28-41, 46-48, 50-53, 62-83, 86-89 and 95-98 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizumoto et al. US 5,576,014, in view of Hageman et al. 6,964,978.

Mizumoto teaches a quick-dissolved compressed tablet comprising saccharide having high moldability and saccharide having low moldability (columns 6-7), drug, and additive agents (columns 13-19, claims 1-6). The blending ratio of high moldability and low moldability saccharides is from 2 to 20% by weight (column 7, lines 3-18). Drug is used in an amount of about 50% (column 10, lines 25-26). Drug includes both analgesic and anti-inflammatory agents (column 7, lines 13-15 and 39-41). The method for preparing the tablet is disclosed in columns 12-13 (see also examples). The composition further comprises lubricant, *e.g.*, magnesium stearate, sucrose fatty acid

ester, polyethylene glycol, or talc (column 13, lines 52-55). The hardness, strength, and disintegration time is disclosed at column 11, lines 30-60.

Mizumoto does not expressly teach the claimed surfactant, as well as the claimed active agent such as celecoxib.

Hageman teaches the use of celecoxib as an alternative to conventional NSAID (column 14, lines 10-30). Hageman further teaches an oral dosage form comprising celecoxib, surfactant and one or more excipients (column 10, lines 19-55). Surfactant includes sodium lauryl sulfate; glidant includes colloidal silicon dioxide (ID; and column 11, lines 1-16). Thus, it would have been obvious to one of ordinary skill in the art to modify the process of Mizumoto for the preparation of celecoxib in view of the teaching of Hageman, because Hageman teaches the use of celecoxib over the conventional NSAID compounds, because Hageman teaches the desirability of using a wet granulation process for the preparation of celecoxib compound, and because Mizumoto teaches a process suitable for the preparation of a wide variety of compounds including NSAID.

Response to Arguments

Applicant's arguments filed 12/18/07 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hageman et al.

The rejections over Straub and Jain have been withdrawn in view of applicant's arguments.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to S. Tran whose telephone number is (571) 272-0606. The examiner can normally be reached on M-F 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Hartley can be reached on (571) 272-0616. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. Tran/
Primary Examiner
Art Unit 1618